

LISTING OF CLAIMS

1. (Previously presented) A method for treating hyperlipidemia wherein a patient in need thereof is given an effective amount of an intermediate release nicotinic acid formulation in a once per day oral dosage form without causing treatment limiting hepatotoxicity and treatment limiting elevations in uric acid or glucose levels or both to a level which would require use of said formulation to be discontinued, said formulation exhibiting an *in vivo* stair-stepped absorption profile when a convoluted plasma curve for nicotinic acid released from said formulation is deconvoluted using the Wagner-Nelson method, where the stair-stepped absorption profile is generally characterized by three phases in which

up to about 19% of the nicotinic acid dose administered is absorbed between about 1 and about 4 hours following ingestion at the end of the first phase;

between about 78% and about 100% of the nicotinic acid dose administered is absorbed between about 5 and about 9 hours following ingestion at the end of the second phase; and

between about 86% and about 100% of the nicotinic acid dose is absorbed by about 9 hours following ingestion during the third phase.

2. (Previously presented) The method of claim 1, wherein the nicotinic acid absorption mean for the first and second phases is:

about 6% of the nicotinic acid dose administered is absorbed at about 2.3 hours following ingestion at the end of the first phase; and

at least about 91% of the nicotinic acid dose administered is absorbed at about 7.3 hours following ingestion at the end of the second phase.

3. (Previously presented) A method for treating hyperlipidemia wherein a patient in need thereof is given an effective amount of an intermediate release nicotinic acid formulation in a once per day oral dosage form without causing treatment limiting hepatotoxicity and treatment limiting elevations in uric acid or glucose levels or both to a level which would require use of said formulation to be discontinued, said formulation exhibiting an *in vivo* stair-stepped absorption profile when a convoluted plasma curve for nicotinic acid released from said formulation is

deconvoluted using the Wagner-Nelson method, where the stair-stepped absorption profile is generally characterized by three phases in which

nicotinic acid is absorbed at a rate of up to about 9% of the nicotinic acid dose administered per hour between about 1 and about 4 hours following ingestion at the end of the first phase;

nicotinic acid is absorbed at a rate of between about 14% and about 26% of the nicotinic acid dose administered per hour between about 5 and about 9 hours following ingestion at the end of the second phase; and

the remainder, if any, of the nicotinic acid dose administered is absorbed during the third phase.

4. (Previously presented) The method of claim 3, wherein the nicotinic acid absorption rate mean for the first and second phases is:

about 3% of the nicotinic acid dose administered is absorbed at about 2.3 hours following ingestion at the end of the first phase; and

at least about 19% of the nicotinic acid dose administered is absorbed at about 7.3 hours following ingestion at the end of the second phase.